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NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

Letter dated 6 November 1996 from the Permanent Representative of Uruguay to the United Nations addressed to the Secretary-General

I have the honour to refer to the twelfth regular meeting of the Latin American Council of the Latin American Economic System, which was held at the headquarters of the Latin American Integration Association in Montevideo from 23 to 25 October 1996.

I should be grateful if you would have the attached text of decision 377, which was adopted at that meeting of the Latin American Council, circulated as a document of the General Assembly under agenda item 27.

Signed) Jorge PERÉZ-OTERMIN
Ambassador
Permanent Representative

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ANNEX

Decision 377, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the Government of the United States of America against Cuba", adopted at the twelfth regular meeting of the Latin American Council, held in Montevideo from 23 to 25 October 1996

The Latin American Council,

In view of:

Article 3, paragraphs (a) and (b), article 4 and article 5, paragraphs 1 (1) and 4, of the Panama Convention,

Latin American Council decision 112 concerning the imposition of coercive economic measures,

Latin American Council decisions 356 and 360, which reject the application of unilateral measures that affect the free development of international trade and violate international law and the most fundamental principles of good-neighbourliness,

United Nations General Assembly resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994 and 50/10 of 2 November 1995, which call for the lifting of the economic, commercial and financial embargo imposed by the United States of America against Cuba,

The document of the Permanent Secretariat of the Latin American Economic System, entitled "Implicaciones jurídicas y económicas de la Ley Helms-Burton: elementos para un análysis desde la perspectiva de América Latina y el Caribe" ("Legal and economic implications of the Helms-Burton Act: elements of analysis from the standpoint of Latin America and the Caribbean"),

The statements issued so far this year by the summit meeting of heads of Government of Canada and the Caribbean Community (March); by the institutionalized ministerial-level meeting of the Rio Group and the European Union (April); by the Central American presidents, the Prime Minister of Belize and the Prime Minister of Canada (May); by the Association of Caribbean States (May); by the Latin American Integration Association (June); by the Rio Group presidential summit (September); and by Mexico (September), rejecting the imposition of any unilateral coercive measure which contravenes the internationally accepted principles, rules and practices of free trade and investment,

Considering:

The need to reaffirm, among other principles, the sovereign equality of States, non-interference in their internal affairs and freedom of trade and navigation, as set forth in many international legal instruments,

That, despite the disapproval of the international community, on 12 March 1996 the President of the United States of America signed into law the "Helms-Burton Act", a measure which tightens the economic, commercial and financial embargo against Cuba and whose extraterritorial nature affects the sovereignty of other States and the interests of entities or persons under their jurisdiction,

Decides:

Article 1. To reaffirm its strongest rejection of the "Helms-Burton Act" of the Congress of the United States of America because it disregards the fundamental principle of respect for sovereignty; contravenes the rules governing co-existence among States; imposes unilateral and extraterritorial sanctions; and constitutes a flagrant violation of international law and the principles and rules of international trade;

Article 2. To reiterate its position in favour of the immediate lifting of the economic, commercial and financial embargo imposed by the United States of America against Cuba and to call on the Government of the United States of America to repeal the "Helms-Burton Act";

Article 3. To promote among member States an official exchange of information and experience in elaborating and applying "antidote" or "mirror" laws against the "Helms-Burton Act";

Article 4. To request the Permanent Secretariat to continue its consideration of this topic, which is of particular importance to the region's external relations, and to keep the Latin American Council informed of its progress.

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Agenda item 10
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fifty-first year

Note verbale dated 12 November 1996 from the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

The Permanent Mission of the Azerbaijani Republic to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to forward herewith the text of the statement by the Milli Mejlis (Parliament) of the Azerbaijan Republic of 8 November 1996 with respect to the so-called "presidential elections" scheduled on 24 November 1996 in the Nagorny Karabakh region of Azerbaijan.

The Permanent Mission of the Azerbaijani Republic to the United Nations should be grateful to the Secretary-General of the United Nations for his kind assistance in distributing the attached statement as a document of the General Assembly under agenda item 10, and of the Security Council.

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ANNEX

[Original: Russian]

Statement issued on 8 November 1996 by the Milli Mejlis (Parliament) of the Azerbaijani Republic

On 24 November 1996, "presidential" elections are scheduled to be held in the so-called "Nagorny Karabakh Republic", the highland part of the Karabakh region of Azerbaijan.

The Milli Mejlis (Parliament) of Azerbaijan declares that the holding of such "elections" is contrary to universally recognized international legal norms and the Constitution and laws of Azerbaijan and has no legal basis whatsoever.

This action by the Armenian separatists, which violates the rights of the 50,000 Azerbaijani citizens who were expelled from the highland part of the Karabakh region, once again confirms the aggressive claims of the Armenian side.

The Milli Mejlis of Azerbaijan, expressing the sovereign will of the Azerbaijani people, considers the holding of "presidential elections" in the "Nagorny Karabakh Republic" - which no one has recognized - as an encroachment on the sovereignty and independence of Azerbaijan and its territorial integrity and as an attempt to legitimize that purported regime.

The international community is well aware of the selfless and untiring efforts of the President of Azerbaijan, Mr. Heydar Aliyev, to resolve the conflict through peaceful means. At a time when the leaders of Azerbaijan are taking every possible measure to stabilize the situation in the highland part of Azerbaijan's Karabakh region and to resolve existing problems in accordance with the Constitution of Azerbaijan, international legal norms and United Nations instruments, this action by the Armenian separatists should be viewed as one more step towards the forcible seizure of a part of Azerbaijani territory.

The attempt to hold the so-called "elections" once again confirms that the Armenian separatists are trying all ways of avoiding a political settlement of the conflict and are therefore opposed to the efforts of prestigious international organizations and mediators, especially the Minsk Group of the Organization for Security and Cooperation in Europe. International organizations have repeatedly confirmed the territorial integrity of Azerbaijan. For example, Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) call for the immediate and unconditional withdrawal of Armenian forces from the occupied territories of Azerbaijan.

The Milli Mejlis of Azerbaijan views this new provocation by the Armenian separatists as a gross violation of the Azerbaijani Constitution and a flouting of universally recognized international legal principles and norms.

The Milli Mejlis of Azerbaijan considers the attempt by the Armenian separatists, who have seized political power in the highland part of Azerbaijan's Karabakh region, to hold "presidential elections" as a political

provocation intended to disrupt efforts to achieve peace and harmony in relations between two adjacent States - Azerbaijan and Armenia.

The Milli Mejlis of Azerbaijan wishes to inform the international community that the attempt to hold illegal elections in the highland part of Azerbaijan's Karabakh region will have an adverse effect on the peace process.

The Milli Mejlis of Azerbaijan once again calls upon the Armenian community of Nagorny-Karabakh to desist from such actions and refrain from disrupting the peace negotiations.

The Milli Mejlis of Azerbaijan calls upon the Armenian side to take a constructive position in the peace process and declares that only after a peaceful settlement of the conflict - one that guarantees the sovereignty and territorial integrity of Azerbaijan, the return of Azerbaijani refugees to their homes and the restoration of the government bodies established by the Azerbaijani Constitution - will Azerbaijan be able to ensure the security of the Armenian community and its development within the Azerbaijani Republic.

The Milli Mejlis of Azerbaijan appeals to the United Nations, the Organization for Security and Cooperation in Europe, the Commonwealth of Independent States and other international organizations to halt the holding of "presidential elections" in the highland part of Azerbaijan's Karabakh region, since such a provocative act will disrupt the peace process.